



AMENDED
Order under Section 78(11)
Residential Tenancies Act, 2006
and section 21.1 of the Statutory Powers Procedures Act

File Number: LTB-L-098899-25-SA-AM

In the matter of: 805, 286 CHANDLER DR
KITCHENER ON N2E 3J8

Between: Greenwin Corp. Landlord

and

Nahom Dawit Tenant

The order contained a clerical error. This amended order was issued to correct the order dated January 9, 2026. The amendments are underlined for ease of reference.

Greenwin Corp. (the 'Landlord') applied for an order to terminate the tenancy and evict Nahom Dawit (the 'Tenant') and for an order to have the Tenant pay the rent they owe because the Tenant did not meet a condition specified in the consent order issued by the LTB on May 27, 2025 with respect to application LTB-L-013024-25.

The Landlord's application was resolved by order LTB-L-098899-25, issued on December 1, 2025. This order was issued without a hearing being held.

The Tenant made a motion to set aside order LTB-L-098899-25.

The motion was heard by videoconference on December 22, 2025.

The Landlord was represented by Kundai Govereh. Tenant was represented by his brother Nigus Dawit with written authority filed.

Determinations:

1. The Tenant concedes he has breached the terms of mediated resolution reflected in the Board's order of May 27, 2025 by failing to pay the rent that was due on November 1, 2025 and the arrears installment that was due on November 20, 2025 but sought relief from eviction based on his circumstances that had changed since he committed to the repayment plan.

2. Specifically, the Tenant explained that his father's recovery from a surgery he had in 2024 had not progressed as planned and that because his father's primary caregiver had to travel he was left sharing those duties with other family members causing him to lose time from work and concomitant income. He has now returned to regular full-time employment. His representative added that he was expecting what he described as a big tax refund in February which would be sufficient to retire the debt in its entirety.
3. The Landlord points to a history of reversed payments since the agreement was made and that arrears currently stand at \$4,160.49. The Landlord made no mention of any specific prejudice caused by the Tenant's delinquency.
4. After considering all of the circumstances, I find that it would not be unfair to set aside order LTB-L-098899-25. The original payment plan as agreed will be reinstated and extended.

It is ordered that:

1. The motion to set aside order LTB-L-098899-25 issued on December 1, 2025 is granted. That order is set aside and cannot be enforced.
2. The previous order issued on May 27, 2025 with respect to LTB-L-013024-25 is replaced by the following.
3. The Tenant shall pay to the Landlord \$4,160.49 representing arrears and costs.
4. The Tenant shall pay to the Landlord the amount set out in paragraph 3 in accordance with the following schedule:

	Starting Balance	\$4,160.49
Payment Date	Payment Amount	Remaining Balance
January 20, <u>2026</u>	\$ 750.00	\$ 3,410.49
February 20, <u>2026</u>	\$ 750.00	\$ 2,660.49
March 20, <u>2026</u>	\$ 750.00	\$ 1,910.49
April 20, <u>2026</u>	\$ 750.00	\$ 1,160.49
May 20, <u>2026</u>	\$ 750.00	\$ 410.49
June 20, <u>2026</u>	\$ 410.49	\$ 0.00

5. The Tenant shall pay the lawful rent for the period January 1, 2026 to January 31, 2026 on or before January 20, 2026.
6. The Tenant shall also pay to the Landlord lawful rent on time and in full as it comes due and owing for the period of, and including, February 1, 2026 to June 30, 2026, or until the arrears are paid in full, whichever date is earliest.

7. If the Tenant fails to make any one of the payments in accordance with this order, the outstanding balance of any arrears of rent and costs to be paid by the Tenant to the Landlord pursuant to paragraph 1 of this order shall become immediately due and owing and the Landlord may, without notice to the Tenant, apply to the LTB within 30 days of the Tenant's breach pursuant to section 78 of the *Residential Tenancies Act, 2006* for an order terminating the tenancy and evicting the Tenant and requiring that the Tenant pay any new arrears, NSF fees and related charges that became owing after December 31, 2025.

January 9, 2026
Date Order Issued

March 13, 2026
Date Order Amended

Nersi Makki
Member, Landlord and Tenant Board

15 Grosvenor Street, Ground Floor
Toronto ON M7A 2G6

If you have any questions about this order, call 416-645-8080 or toll free at 1-888-332-3234.